

# EXHIBIT C



Memorial Sloan-Kettering  
Cancer Center

## **Personnel Policy and Procedure Manual**

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**Section:** EMPLOYMENT

**Subject:** JOB POSTING

### **1.0 POLICY**

1.1 Job vacancies will be posted to inform employees of open positions and enable them to apply for those jobs for which they are qualified.

1.2 Generally, open positions, up to and including the Director's level or equivalent, will be posted. This does not include positions for Memorial Hospital (MH) professional staff and Sloan-Kettering Institute (SKI) professional staff (physicians and research scientists) or fellows in MH or SKI.

1.3 Employees may apply for posted positions if they have been in their current job for at least 12 months, or meet the criteria for one of the following situations:

1.3.1 If an employee's work assignment is ending due to lay off or end of temporary employment prior to 12 months of continuous service in the position, he or she may apply for a posted job when informed of termination of the assignment, assuming the employee's work performance is satisfactory.

1.3.2 If the employee has less than 12 months of continuous service in the position but the employee's current supervisor waives the requirement, in writing, the employee may apply for a posted position.

1.3.3 After three months of employment and at least 350 hours of work at the Center, Temporary Employment Service (TES) employees may apply for a posted position. However, if a department manager wishes to hire a TES

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employee as a regular employee in the manager's department, the three month and 350 hour eligibility requirements may be waived.

1.3.4 Temporary agency employees assigned to work at the Center from employment agencies other than MSKCC's TES must wait six months from the time of their first assignment at the Center to apply for a job. They are not eligible to apply through the job posting program. They must apply through the employment application process.

1.3.4.1 If the temporary agency employee has an employment application on file at MSKCC's Employment Department prior to being assigned to a temporary assignment at MSKCC, the six month eligibility requirement will be waived.

1.4 Employees must have at least a "Meets Expectations" overall performance rating on their most recent performance appraisal in order to be eligible to apply for a posted position. TES employees must have an overall rating of "Meets Expectations" for each assignment during the three months preceding the date on which they submit a job posting application.

1.4.1 An employee who has at least a "Meets Expectations" overall performance rating but is on corrective action for performance reasons may not be eligible to apply for a posted position for a period of one year from the date of the most recent corrective action. An employee in this situation will have his or her application and records reviewed by the Director, Employment or the Manager, Employment to determine eligibility to apply for a posted position.



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- 1.4.2 Employees whose overall performance rating is "Meets Expectations" but who are rated "Below Expectations" in some areas on the performance appraisal or are in an early stage of corrective action, may be ineligible for consideration in the job posting process.
- 1.5 In order to be considered for an open position, the applicant must complete an online Job Posting Application or submit a printed Job Posting Application (see Form #34) to the Employment Department.
- 1.6 While Center employees are being considered for posted positions, applications from other sources may be reviewed.
- 1.7 The Employment Department and the hiring department reserve the right to cancel a posted position for reasons such as, but not limited to, budgetary considerations or an incumbent electing to remain in the position.
- 1.8 The Employment Department will not discuss the Job Posting application with the employee's current supervisor until the employee is scheduled for an interview with the hiring department.
- 1.8.1 The employee is responsible for notifying his or her supervisor prior to going on an interview.
- 1.9 When an employee is accepted for a position, notice is given by the employee to his or her current department. The notice period is equal to the amount of the employee's annual vacation eligibility. If the employee is a TES employee and is currently on assignment, the notice period is at least two weeks. The TES employee's start date will be the nearest Orientation date following the two-week

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notice period.

1.9.1 The current department supervisor and the hiring department supervisor may agree to establish another timeframe in which the transfer becomes effective. If they do not agree to another timeframe, the policy as stated in Section 1.9 above becomes effective.

1.10 When a vacant position is posted, it will be filled by a qualified person without regard to race, color, religion, gender, age, national origin, marital status, citizenship status, disability, veteran status, or sexual orientation (except where age, disability, or sex is a bona fide occupational qualification).

**2.0 PROCEDURES**

2.1 Based on information contained in the Recruitment/Hire Authorization Form (see Form #2), Position Profile/Performance Appraisal (see Form #14) and Job Description (see Form #16), the Employment Department will post a vacant position.

2.2 Each week the Employment Department will post a list of vacant positions in selected Center locations and on the Human Resources Page of MSKCC's Intranet Site. The list will include new vacant positions and a brief description.

2.3 Employees who are interested in applying for a posted job will complete an online Job Posting Application or submit a printed Job Posting Application (see Form #34) and forward it to the Employment Department.

2.3.1 Employees are required to complete a separate application for each posted



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position for which they wish to apply.

2.3.2 In the event that an employee attempts to apply for a vacant job by directly contacting the hiring manager, the employee will be instructed by the hiring manager to submit a Job Posting Application.

2.4 The Employment Department will screen the Job Posting Application(s) to ensure that:

- a) the employee has 12 months of continuous service in his or her current position or meets the criteria in 1.3.1, 1.3.2, or 1.3.3 of this policy.
- b) the employee has received at least a "Meets Expectations" overall performance rating on his or her most recent performance appraisal.
- c) the application of an employee who has at least "Meets Expectation" overall rating but is on progressive discipline for performance reasons will be referred to the Director, Employment or the Manager, Employment for review. The Director, Employment or the Manager, Employment will determine whether the employee is eligible to apply for job posting and will notify the employee of the decision.

2.4.1 If the employee does not meet the criteria as stated in Section 1.3 and/or 1.4 of this policy, a representative of the Employment Department will inform the employee that he or she is ineligible to apply for the posted position.

2.4.2 If the employee meets the criteria for eligibility to apply for a job posting, the employment representative will review the application to determine if the employee meets the qualifications required for the job and if pre-



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employment tests are required.

2.4.2.1 Employees applying for positions that require pre-employment tests and who have not recently taken the relevant tests will, before they are interviewed, be tested by the Employment Department, with reasonable accommodation, if necessary. If the employment representative determines that pre-employment testing is required, he or she will schedule the employee for testing.

2.4.2.2 If the employee meets the basic requirements for the job, the employee's file will be referred to the appropriate employment specialist.

2.4.2.3 If the employee does not have the basic skills required for the job, he or she will not be considered for the job opening and will be so informed by the employment representative.

2.5 The candidate's most recent performance appraisal will be forwarded to the department interviewer for review.

2.6 The hiring manager will discuss with the employment specialist those job posting applicants whom the manager wants to interview.

2.6.1 The hiring manager will give the employment specialist job-related reasons for rejecting the applicants who will not be interviewed. The reasons for rejecting the applicant will be documented by the employment specialist.

2.6.2 The Employment Specialist will notify those employees not selected for an interview that they are not being considered for the job.



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- 2.7 The employment representative will schedule the applicant's interview with the department. During the interview process, the employee will be shown the full job description and will be asked if he or she can perform all aspects of the job. Pertinent disclosures, if applicable to the job, will be provided to the applicant.
- 2.8 When an applicant states that he or she cannot perform all aspects of the job without reasonable accommodation, the department interviewer will inform the employment specialist of the need for accommodation. In this event, the manager of employee relations, the employment specialist and the department interviewer will work together to determine whether the applicant can perform the essential functions of the job with or without reasonable accommodation and to what extent reasonable accommodations can be provided.
- 2.9 The hiring manager will select candidates to be interviewed based on qualifications, including test results (if appropriate).
- 2.10 Hiring decisions will be made by the hiring manager or administrator. The Center reserves the right to hire the most qualified candidates from both internal and external sources.
- 2.11 If the internal candidate is the one selected, the employment specialist requests the Compensation Department to determine the appropriate promotional increase or the salary for the position. If the wage scale of the position to be filled is the same as, or comparable to, the wage scale that the employee currently has, the employee's salary will remain the same.
- 2.12 The employment specialist will inform the hiring manager of the recommended

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salary provided by the Compensation Department. The hiring manager or the employment specialist will extend the offer to the employee. If the employee accepts, a start date will be discussed with the employee. This can only be finalized after the employee notifies his or her current manager of the expected transfer and obtains a transfer date from his or her manager in accordance with sections 1.9 and 1.9.1 of this policy.

2.12.1 If the applicant who is offered a position is a TES employee, the employment specialist informs the TES Manager of the employee's transfer.

2.13 The employment specialist will notify those employees who were not selected for the posted position. The employment specialist will document this (including the reason) in the Applicant Management System.

2.13.1 If the applicant is a TES employee and was not selected for the posted position, the employment specialist informs the TES Manager of the decision and the reason. The reasons for rejecting the applicant will be documented by the TES Manager.